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SUSAN SAMMUT, LEGAL ASSISTANT

July 8, 2008

VIA FACSIMILE TO: 914-390-4085
AND REGULAR MAIL

Hon. Charles L. Brieant
United States District Judge
United States District Court, Southern District of New York
United States Courthouse
300 Quarropas Street, Room 633
White Plains, New York 10601-4150
Attn: Ms. Alice Cama, Deputy Clerk

Re: Eric K. Merring v. the Town of Tuxedo, New York, the Town of Tuxedo
Police Department, Town of Tuxedo Police Officer Anthony Della,
Shield Number 24, Town of Tuxedo Police Sergeant Patrick Welsh,
Shield Number 17
United States District Court, Southern District of New York
Index Number: 07CV10381
Motion Return Date & Oral Argument Date: July 18, 2008, at 9:30 a.m.

Dear Ms. Cama:

I represent the plaintiff in connection with the above-referenced matter, in which a Motion is returnable as above referenced, as well as oral arguments for the same.

This letter will serve to confirm our telephone conversation earlier today, wherein you advised that the Motion return date and oral argument date has been adjourned without date, due to this matter being reassigned to a new Judge.

Hon. Charles L. Brieant
United States District Judge
United States District Court, Southern District of New York
United States Courthouse
Attn: Ms. Alice Cama, Deputy Clerk
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By copy of this correspondence, I am advising opposing counsel of the same, as reflected below.

Thank you for your assistance in this matter.

Sincerely,



Lee David Klein

LDK:ss

cc: John Walsh, Esq. (via facsimile & regular mail)
Client